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Approved: 

THOMAS S. BURNETT  
Assistant United States Attorney

Before: THE HONORABLE JAMES L. COTT  
United States Magistrate Judge  
Southern District of New York

- - - - -	X	
UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violations of 18 U.S.C.
	:	§§ 1703(a) and 2
CESAR VAZQUEZ,	:	
	:	COUNTY OF OFFENSE:
	:	NEW YORK
Defendant.	:	
	:	
- - - - -	X	

SOUTHERN DISTRICT OF NEW YORK, ss.:

WILLIAM BIANCO, being duly sworn, deposes and says that he is a Special Agent with the United States Postal Service ("USPS"), Office of the Inspector General, and charges as follows:

COUNT ONE  
(Delay or Destruction of Mail)

1. On or about November 22, 2019, in the Southern District of New York and elsewhere, CESAR VAZQUEZ, the defendant, being a USPS officer or employee, knowingly and willfully did secrete, destroy, detain, delay, and open letters, postal cards, packages, bags, and mail that was entrusted to him and which came into his possession, and which was intended to be conveyed by mail and carried and delivered by carriers and other employees of the USPS, and forwarded through and delivered from any post office and station thereof established by authority of the Postmaster General and the USPS, to wit, VAZQUEZ, while working as a USPS employee at the USPS Processing and Distribution Center in Manhattan, New York, removed letters from USPS mail-sorting machines and trays and opened the letters, all of which were intended to be conveyed by mail.

(Title 18, United States Code, Sections 1703(a) and 2)

The bases for my knowledge and for the foregoing charges, are, in part, as follows:

2. I am a USPS Office of Inspector General Special Agent and have been so employed since October 2017. In my current position, I investigate violations of federal criminal laws, including violations of Title 18, United States Code, Section 1703. I have been personally involved in the investigation of this matter. This affidavit is based on my conversations with other law enforcement officers, my examination of documents, reports and records prepared by the USPS and law enforcement officers, and my involvement in this investigation. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. From my review of records kept by the USPS, I have learned, among other things, that CESAR VAZQUEZ, the defendant, has been a USPS employee since on or about April 9, 2018. In November 2019, VAZQUEZ worked at the Manhattan USPS Processing and Distribution Center (the "Processing and Distribution Center"), through which mail distributed in Manhattan and the Bronx passes.

4. On or about October 21, 2019, I received information from the USPS Postal Police that an employee at the Processing and Distribution Center had discovered opened letters in a bathroom on the 3<sup>rd</sup> floor of the Processing and Distribution Center.

5. From on or about October 25, 2019 up to and including on or about November 25, 2019, I received multiple reports from USPS employees that letters that had passed through the Processing and Distribution Center had arrived at USPS Post Offices having already been opened or damaged.

6. Based on my review of USPS records, I have learned, among other things, that many of the opened letters about which I received reports were processed on mail-sorting machines staffed by CESAR VAZQUEZ, the defendant, at the Processing and Distribution Center.

7. From my review of USPS records and video and visual surveillance of CESAR VAZQUEZ, the defendant, during his work

shifts at the Processing and Distribution Center, I have learned, among other things:

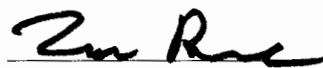
a. USPS records show that, on or about November 22, 2019, VAZQUEZ was assigned to staff Delivery Bar Code Sorting ("DBCS") machine numbers 22 and 79 at the Processing and Distribution Center.

b. Based on my training and experience, USPS employees staffed to DBCS machines are supposed to remove mail from the DBCS machine and place it in an assigned mail tray.

c. Between approximately 8:15 p.m. on or about November 22, 2019 and approximately 2:30 a.m. on or about November 23, 2019, while conducting in-person and video surveillance, law enforcement officers observed VAZQUEZ, during his shift, remove multiple letters from DBCS machine number 79 and mail trays, take those letters to a secluded location between the racks that hold the mail trays, open the letters, and then place them on the racks alongside him.

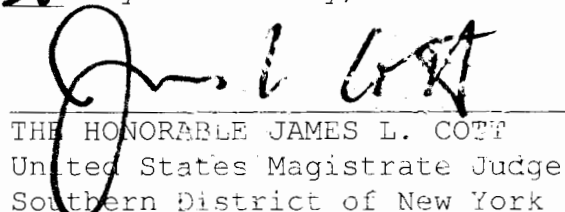
d. On or about November 25, 2019, law enforcement officers observed 18 open letters that had been retrieved from the mail racks where law enforcement saw VAZQUEZ place the letters he had opened on or about November 23, 2019.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of CESAR VAZQUEZ, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



WILLIAM BIANCO  
Special Agent  
United States Postal Service

Sworn to before me this  
30 day of January, 2020



THE HONORABLE JAMES L. COTT  
United States Magistrate Judge  
Southern District of New York